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Filing date:

04/08/2009

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91178464
Party	Plaintiff Head Technology GmbH
Correspondence Address	Linda K. McLeod Finnegan Henderson Farabow Garrett Dunner LLP 901 New York Avenue NW Washington, DC 20001-4413 UNITED STATES linda.mcleod@finnegan.com
Submission	Motion to Suspend for Settlement Discussions
Filer's Name	Linda K. McLeod
Filer's e-mail	docketing@finnegan.com, linda.mcleod@finnegan.com, judy.valusek@finnegan.com
Signature	/Linda K. McLeod/
Date	04/08/2009
Attachments	4-8-09 Motion to Suspend with Consent.pdf ( 3 pages )(70446 bytes )

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

HEAD TECHNOLOGY GMBH,

Opposer

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MBL/TIGI PRODUCTS, LP,

Applicant.

CONSOLIDATED
Opposition No. 91178464

Serial No. 78844705

Filing Date: March 23, 2006

Mark: BED HEAD

Opposition No. 91186116

Serial No. 78845998

Filing Date: March 24, 2006

Mark: BED HEAD IT'S A LIFESTYLE!

Serial No. 78845962

Filing Date: March 24, 2006

Mark: BED HEAD IT'S A LIFESTYLE!

(Stylized)

Serial No. 78846067

Filing Date: March 24, 2006 Mark: BED HEAD TIGI IT'S A

LIFESTYLE!

## MOTION TO SUSPEND WITH CONSENT

Subject to the approval of the Board, Head Technology GmbH ("Opposer") respectfully requests that proceedings be suspended for a period of ninety (90) days from the date of the Board's suspension order, subject to the right of either party to request resumption of proceedings at any time. Trademark Rule 2.117(c).

This request is not filed for purposes of delay. The parties are continuing to discuss a settlement of this matter, and believe in good faith that a settlement will be reached. The parties have exchanged draft a settlement agreement and proposed

MOTION TO SUSPEND WITH CONSENT Consolidated Opposition No. 91178464

revisions to the agreement. However, the parties need additional time to confer with

counsel, and consider the proposed revisions to the agreement.

In addition, the involved applications are in the process of a change in

ownership, and the assignee has engaged new counsel. Counsel for Applicant requires

additional time to familiarize herself with the record and proposed settlement terms, and

to confer with Applicant and counsel for Opposer regarding settlement. As recently as

April 7, 2009, counsel for the parties discussed the proposed settlement agreement and

the pending matters by telephone.

Counsel for Applicant consented to this request in a telephone conference on

April 7, 2009.

Date: April 8, 2009

Respectfully submitted,

David M. Kelly

Linda K. McLeod

Graelley

FINNEGAN, HENDERSON, FARABOW,

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## **CERTIFICATE OF SERVICE**

I certify that a true and accurate copy of the foregoing Motion To Suspend with Consent was served, via email and prepaid First Class Mail, on April 8, 2009 upon counsel for Applicant at the following addresses:

Carrie L. Kiedrowski Jones Day Suite 800, 1420 Peachtree Street NE Atlanta, GA 30309 clkiedrowski@JonesDay.com

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